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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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102312	10/24/01	EXAMINER
JOSEPH A. FALCON	SEUNG K. KIM	
1130 AVENUE OF THE AMERICAS		
NEW YORK, NY 10036-4240		
	ART UNIT	PAPER NUMBER

10/24/01
DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.	09/583,171	Applicant(s)	TSURU ET AL.
Examiner	Kimberly E Glenn	Art Unit	2817

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

THE MAILING DATE OF THIS COMMUNICATION.

Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.

- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on _____.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-15 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1,2,8 and 15 is/are rejected.

7) Claim(s) 3-7 and 9-14 is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.

4) Interview Summary (PTO-413) Paper No(s) _____

5) Notice of Informal Patent Application (PTO-152)

6) Other: _____

Application/Control Number: 09/583,171
Art Unit: 2817

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by Ruby us Pat.

5,208,213.

3. Ruby discloses a delay line 200 comprising a dielectric substrate 104 including a pair of

main surfaces: a transmission line 106 disposed on the one of the main surfaces of the dielectric substrate; a ground conductor 226 disposed on the other of the main surfaces of the dielectric substrate; and a capacitance 220 being disposed on the dielectric substrate and connected to the transmission line for setting a desired delay time of the delay line. The capacitance is

adjustable. (see figs 1,2 4 column 2 line 53, column 4 lines 3-56 and column 7 lines 45-52)

4. Claims 8 and 15 rejected under 35 U.S.C. 102(b) as being anticipated by Mandai et al US

Pat. 5,436,601

Mandai et al discloses a multiplayer structure formed by laminating a plurality of dielectric layers (14 18 22 16 28 32 38 44 50); a transmission line (30 34 40 46) formed on a dielectric layer embedded in the multiplayer structure; a plurality of ground conductors (16 24) disposed on the dielectric layers and a pair of the ground conductors (16 24) being disposed on the opposite sides of the transmission line (30 34 40 46); and a capacitance (20) disposed on the

Application/Control Number: 09/583,171

Art Unit: 2817

multiplayer structure and connected to the transmission line for setting the delay time and delay line. The capacitance is connected in parallel to the transmission line. (see figures 1 and 7)

Allowable Subject Matter

5. Claims 3-7 and 9-14 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. The following is a statement of reasons for the indication of allowable subject matter: With regards to claim 3, the prior art of record does not disclose or fairly teach the capacitance being a variable capacitor. With regards to claims 5 and 13, the prior art of record does not disclose or fairly teach the capacitance being a diode. With regards to claim 9, the prior art of record does not disclose or fairly teach the capacitance being adjustable.

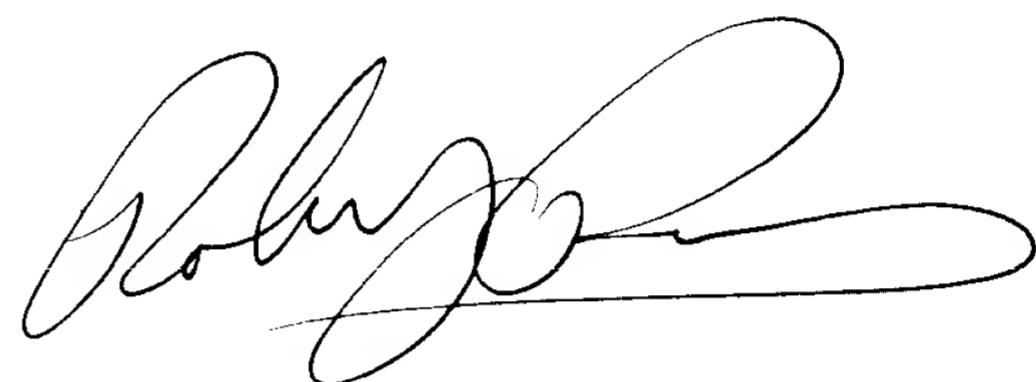
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimberly E Glenn whose telephone number is (703) 306-5942. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pascal can be reached on (703) 308-4909. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7724 for regular communications and (703) 308-7724 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Kimberly E Glenn
Examiner
Art Unit 2817

keg
October 21, 2001

A handwritten signature in black ink, appearing to read "Kimberly E. Glenn". The signature is fluid and cursive, with a large, stylized 'K' at the beginning.